



COLORADO
Division of Water Resources
Department of Natural Resources

Office of the State Engineer
1313 Sherman St, Suite 818
Denver, CO 80203

Response to Reclamation Permit Partial Acreage Release Request Consideration

DATE: June 13, 2016
TO: Amy Eschberger, Environmental Protection Specialist
CC: Division 2 Office; District 17 Water Commissioner
FROM: Caleb Foy, P.E.
RE: Rocky Ford East Pit, File No. M-1977-560
Operator: Valco, Inc.
Contact: Tom Brubaker
Sec. 21, Twp. 23S, Rng. 56W, 6th P.M., Otero County

CONDITIONS FOR APPROVAL

- ☒ If stormwater is contained on-site, it must infiltrate into the ground or be released to the natural stream system within 72 hours, or all work must cease until a substitute water supply plan, or augmentation plan approved by water court, is obtained. Reclamation plans must ensure water will not be retained onsite for more than 72 hours unless an augmentation plan approved by water court is obtained.
- ☒ The proposed operation will consume ground water by: ☒ evaporation, ☐ dust control, ☒ reclamation, ☐ water removed in the mined product, ☐ processing, ☐ other:.
- ☒ The Rocky Ford East pit shall operate under permit no. 52017-F and the October 28, 2015 substitute water supply plan approved for the period August 1, 2015 through July 31, 2016.
- ☒ No areas of post-1981 exposed ground water shall be released unless such area(s) are in compliance with the April 30, 2010 letter from DRMS regarding mining-related exposure of ground water and Colorado water law.

COMMENTS: According to the submittal, 17.4 acres of the acreage subject of the release request is pre-1981 exposed ground water. Pursuant to §37-90-137(11)(b), C.R.S., a gravel pit operator or property owner does not need to replace depletions that occur due to evaporation from ground water exposed prior to January 1, 1981 as a result of open mining of sand and gravel.

